

second paragraph, Applicants traverse the objections and rejection to the extent that they are maintained.

With regard to the Examiner's rejection for obviousness-type double patenting, Applicants traverse this rejection to the extent that it is maintained.

Favorable reconsideration of the specification and all claims is respectfully requested.

A. Formal Concerns

In this Response, Applicants have provided new figures 3B and 6B to overcome the Examiner's formal concerns. Applicants now believe that the claims are fully supported in the figures.

With regard to the Examiner's objection to the disclosure, Applicants have amended the disclosure as requested by the Examiner. Applicants believe that this concern has now been overcome.

With regard to the Examiner's rejection under 35 U.S.C. §112, second paragraph, Applicants have amended the claims to overcome the Examiner's concerns. Applicants believe that the claims are now fully in order for allowance.

B. The Art Rejection

With regard to the Examiner's rejection for obviousness-type double patenting, Applicants note the Examiner's remarks in the

last Office Action. Applicants maintain their position with regard to the obviousness-type double patenting rejection.

The claimed invention in this particular application is focused on an improvement to the protrusion of the block. Applicants have discovered that the use of a protrusion having side walls of a specific angle may facilitate molding of the block and provide heightened locking of the block when used in a retaining wall.

More specifically as can be seen at pages 20-24 of the specification, the protrusion may have surfaces 26A and 26B. The protrusion surface 26B may be positioned to resist the forward movement of a subsequent course of blocks. Further, surface 26A may facilitate manufacture of the block while not comprising the structural integrity of any retaining structure in which the block is used. Turning first to surface 26B, and Figure 16, protrusion surface 26B may have an angle δ , in relationship to vertical which provides the greatest resistance towards displacement of a block on an adjacent higher course. Further, surface 26A, also seen in Figure 16, may have an angle θ , which allows ease of manufacture. More specifically, lessening the angle θ prevents fill from adhering from the underside of the heated stripper shoe. In contrast, if side wall 26A has a right angle of 90° , the compressed fill forming the protrusion

will slide against the walls of the indentation on the underside of the stripper shoe plate as it releases, after compression.

In sharp contrast, the specification and claims of U.S. Patent Application Serial Nos. 08/322,357 and 08/447,757 teach nothing of the angle of the protrusion surfaces. Further there is no teaching within the specification of the cited patent application regarding use of angled protrusion side walls to ease manufacture or facilitate the interlocking of blocks.

CONCLUSION

Favorable reconsideration of all claims pending herein is respectfully solicited.

Respectfully submitted,

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